

Notice of Allowability

Application No.

09/715,087

Examiner

Khawar Iqbal

Applicant(s)

ISHIDA, AKIRA

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4-25-06.
2. ☒ The allowed claim(s) is/are 11, 12 and 15-17.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Reassignment Affecting Application Location

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Allowable Subject Matter

1. Claims 11-12,15-17 are allowed.
2. The following is a statement of reasons for the indication of allowable subject matter: Akihiro et al teaches a wireless base station that transmits a control signal to a non-specific mobile station by forming an omnidirectional antenna pattern and transmits a control signal to a specific mobile station by forming an array antenna pattern, the wireless base station comprising: a judging unit for judging, when the control signal is to be transmitted to the specific mobile station, whether both of the following condition are satisfied: a difference between received reference signals in an immediately preceding reception from a mobile station is equal to or larger than a threshold value, and; and a controlling unit operable to, when the judging unit judges in the affirmative, stop the wireless base station from forming the array antenna pattern and force the wireless base station to transmit the control signal by forming an omnidirectional antenna pattern. Akihiro et al teaches field strength level is received, when a base station 2 measures beforehand the sending-signal level of wireless terminal 11 and call origination occurs. The level comparison with the threshold established beforehand is performed, and it is a threshold. If it becomes above, allocation processing of the Omni

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beam will be performed. Hamabe et al (US 6731949) a service area is divided into cells with base stations and mobile stations and the base stations are connected to a control station connected to a communication network including other control stations. The base stations transmit pilot signals at a constant transmission power, which is measured by units in the mobile stations. When a mobile station moves, the pilot signal value varies and control commands are formed for the base station to increase or decrease transmission power to a predetermined reference level. Wong et al (6233466) teaches a time lapse between the immediately preceding reception of the control signal exceeds a predetermined length. Claims 15 and 17 are allowable (with other combinations and Applicant's remarks) over the prior art of record since the cited references taken individually or in combination fails to particularly teach a controlling unit for forcing, when the judging unit judges both conditions are satisfied, the wireless base station to stop forming the array antenna pattern and to transmit the control signal by forming an omnidirectional antenna pattern.

Any comments considered necessary by applicant must be submitted no later than the payment the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

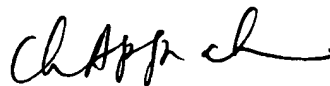
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khawar Iqbal whose telephone number is 571-272-7909.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Khawar Iqbal



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CHARLES APPIAH
PRIMARY EXAMINER